

Serial No.: 10/674,255
Docket No.: 09792909-5694
Amendment dated August 17, 2009
Reply to the Office Action of April 15, 2009

REMARKS

A. Introduction

Claims 1-3, 6, 15 and 16 were pending and under consideration. Claims 4, 5, and 7-14 were previously cancelled.

In the Office Action of April 15, 2009 ("the Office Action"), claims 1-3, 6, 15 and 16 were rejected as obvious.

Without conceding to the merits of the rejections, independent claim 1 has been amended to clarify an aspect of the invention, claims 2 and 16 have been cancelled and claim 17 has been added. No new matter has been introduced.

Reconsideration and withdrawal of the rejections are requested in view of the following.

B. Rejection under 35 USC §112

Claims 1-3, 6, 15 and 16 have been rejected under 35 U.S.C. §112 as indefinite. The Examiner argues that independent claim 1 recites "the display panel is sealed of the flexible touch panel," which is unclear. See the Office Action, para. 3.

Without conceding to the merits of the rejection, claim 1 has been amended to recite "the display devices are isolated from the flexible touch panel" to clarify an aspect of the present general inventive concept.

Accordingly, reconsideration and withdrawal of the rejection is requested.

C. Rejection under 35 USC §103

Claims 1-3, 6, 15 and 16 have been rejected under 35 U.S.C. §103 as unpatentable over U.S. Patent No. 6,814,642 to Siwinski in view of U.S. Patent No. 6,771,327 to Sekiguchi. The rejections are traversed for at least the following reasons.

Independent claim 1 requires a protective film that is (1) formed directly on both (a) the substrate and (b) the plurality of display devices for protecting the plurality of display devices, and (2) that provides a seal for the organic emitting layer and includes at least inorganic

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material. As provided by the Specification, the seal provided by the protective film for the organic emitting layer advantageously increases strength of the display while decreasing thickness and weight. See Published Spec., **20040124765**, paras. 0058 and 0069. The film also protects the display devices from moisture. See, para. 0032.

In attempt to reject this recitation, the Examiner relies on Siwinski's transparent sheet 102. See Office Action, para. 4. However, Siwinski's transparent sheet 102 is limited to a planar sheet that is only formed only on metal cathode layer 62. Thus, Siwinski's transparent sheet 102 is not directly formed on both (1) the substrate, and (2) the plurality of display devices, as required by independent claim 1, and is not capable of providing a seal for the organic emitting layers of the display devices. Consequently, Siwinski fails to provide the aforementioned advantages of the present general inventive concept.

Sekiguchi does not remedy the Siwinski deficiency and is likewise limited to a planar touch panel sealing member 40 formed on an electrode 22, which is not the same as a protective film that is (1) formed directly on both (a) the substrate and (b) the plurality of display devices for protecting the plurality of display devices, and (2) that provides a seal for the organic emitting layers and includes at least inorganic material, as required by independent claim 1. Thus, Sekiguchi also fails to providing the aforementioned advantages of the present general inventive concept.

Accordingly, neither Sekiguchi nor Siwinski, separately or in combination, disclose or suggest every element of independent claim 1, and this claim is patentable over these references. Further, because claims 3, 6 and 15 depend from independent claim 1 and include all of the limitations of independent claim 1, these dependent claims are also patentable over the art of record for at least the reasons discussed above with respect to independent claim 1.

C. New Claim

New claim 17 have been added. Support for the new claim can be found in the specification and drawings, for example, in Fig 1 and corresponding portions of the

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Specification. New claim 17 recite features, which are not disclosed or suggested in the prior art of record. For example, claim 17 recites, among other things, "protective film formed directly on both (a) the substrate and (b) the plurality of display devices," which is patentable over the art of record for the aforementioned reasons. In addition, claim 17 recites the inclusion of a sealing panel between the touch panel and the driving panel as illustrated in Figure 1 and discussed in the text associated therewith.

Accordingly, it is respectfully submitted that new claim 17 does not present new matter and is allowable over the prior art of record, and allowance of this claim is earnestly solicited.

D. Conclusion

It is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, there being no other objections or rejections, this application is in condition for allowance, and a notice to this effect is earnestly solicited.

If any further fees are required in connection with the filing of this amendment, please charge the same to our Deposit Account No. 19-3140.

Respectfully submitted,
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